Weekly National Intelligencer.

WASHINGTON: THURSDAY, JANUARY 21, 1864.

Weekly National Intelligencer.

By GALES & SEATON. JAMES C. WELLING, ASSOCIATE EDITOR. The subscription price of this paper for a year is Two DOLLARS, payable in advance:

A reduction of 20 per cent. (one-fifth of the full charge will be made to any one who shall order and pay for, at one time, ten copies of the Weekly paper; and a reduction of 25 per cent. (or one-fourth of the full charge) to any one who will order and pay for, at one time, twenty or more

THURSDAY, JANUARY 21, 1864.

RESTRICTIONS ON DOMESTIC TRADE.

There seems to be a general disposition on the part of our contemporaries to inquire into the expediency of the grounds on which the Secretary of the Treasury still maintains the estrictions placed by his regulations on trade with persons residing in the regions reclaimed from the military control of the insurgents. We have ourselves hitherto abstained from much comment on the subject, because we had supposed these restrictions were established under the pressure of military considerations having necessarily a paramount weight over "the laws of trade." And we had further supposed that these regulations were authorized if not directed to be made by the existing legislation of Congress on the subject.

We understand, however, that these regulations take their origin chiefly from considerations of expediency dependent on the discretion of the present distinguished Secretary of the Treasury, and are not imposed by act of Congress, while the motives of military prudence which at one time may have argued in their favor are not believed by many intelligent publicists to exist in an equal degree at the present day, or if there be advantages of this kind resulting from the policy in question, it is urged that we may find in the pursuit of a different policy countervailing advantages of another kind sufficient to outweigh the former. Not having sufficiently investigated the subject to venture the expression of a definitive opinion on a question which obviously has more sides than one, and while conceding that the tenacity with which the Secretary of the Treasury adheres to his regulations on this topic is, of itself, a sufficient proof that there must be some reasons for the policy, and such as are satisfactory to that enlightened officer, we cannot hide from ourselves the force of some of the arguments popularly urged in favor of their relaxation, if not their entire removal. And we are confirmed in this conviction, while at the same time satisfied that the Secretary of the Treasury will judiciously modulate his regulations according to the dictates of a sound political economy, by observing a report that "through the intercession and earnest solicitation of Senator Brown Mr. Chase has been induced to remove the restrictions on trade in the State of Missouri." As soon as military prudence shall seem to justify eral and extended relaxation of the policy in

The New York Commercial Advertiser, an Administration paper, thus enforces some of the considerations which argue, it thinks, in favor of a change under this head, at least with respect to the trade in cotton. It says:

"The present policy of the Government in regard to the purchase of cotton in regions reclaimed from rebel sway is unwise. The trade should be freed from many of the restrictions imposed upon it and thrown open to a general competition. Not much cotton has been spared by the torches of the mad and reckless men who have general competition. Not much cotton has been spared by the torones of the mad and reckless men who have sacrificed the flocculent fibre to the vagaries of their wild and unreasonable 'patriotism,' and have impoverished their friends, lest their enemies might chance to be enriched. But such as is left is hedged in with difficulties and girt about with obstacles to approach, as if it were in very deed a King, whose presence was too sacred for the intrusion of any but especially commissioned sgents. This trade in cotton should not be as absolutely free as before the war, for it might be made the cover of an extensive tride in contraband goods. But a careful inspection and a well-ordered system of intercourse could be easily devised by which the object would be successfully attained. The cost-in within our lines, small as is the proportion it bears to the enormous crops that formerly burdened our commerce, is essential to the interests of the world's business and vital to the necessities of millions of men. A few hundred thousand bales thrown upon the market would speedily incline the balance of trade towards if not to our favor, would send down exchange and the price of gold, would set the irle wheels of manufacturers in busy motion, would gladden the hearts and facturers in busy motion, would gladden the hearts and homes of our steadfast and suffering friends in Lancashire. homes of our steadfast and suffering friends in Lancashire, and would alter the whole aspect of our foreign relations, substituting positive friendship for the now prevalent doubt and hesitation. It would check the enterprise of cotton culture in the virgin fields of the East, by giving assurance of a full and uninterrupted supply from the old and o.iginal sources. It would greatly impair the value of that cotton loan negotiated by Erlanger in France and England, and holstered up by McRae. Finally, it would be a precautionary measure sgainst the evil results of an apprehended disturbance of the peace of Europe, or of any revulsion at the monetary centres of London and Paris.

"Nor would the effect be less marked upon our relations to the States in rebellion. Their citizens are poor They want money and the necessaries and comforts of life. Take their cotton and give them greenbacks, and they would speedily feel the force of the old tie, and be convinced that the Union, as of old, brought with it the richest blessings of incividual and general prosperity. The Confederate funances are at the lowest ebb. They need but the application of the slightest power to topple them over into irretrievable and wide spread ruin. The Confederate authorities are profoundly jealous of the circulation of our notes among their people, and endeavor to prevent it by the most arbitrary and repressive laws. In spite of all their penalties, the sale and use of the United States currency are common in 'the nation created by Jefferson Davis.' It has a positive value above and be yond any thing which bears the image and subscription of the rebel Cæsar and his ministers. The needy citizens within our lines would gladly exchange their cotton for this money. They would have no fear of ulterior consequences from insurgent vengeance, for they know that the country redeemed from rebel thrall is permanently reoccupied and possessed, and that the Stars and Stripes will go back no more.

"It was a favorite motto two years ago that 'commerce

It was a favorite motto two years ago that 'commerce followed the flag.' Measurably the assurance has been kept, but commerce has followed with hampered feet and restricted motion, and the great advantages anticipated from the reopening of the Mississippi and the reoccupation of rebel territory have only been partially realized. We believe the time has now come when a different policy should be adopted, and when the best results would flow from it Place fifty or a hundred millions of greenbacks in the reclaimed regions, and give our people cotton to

CONGRESSIONAL.

CONFISCATED PROPERTY.

In the House of Representatives, on Wednesday, the 13th instant-

day, the 13th instant—

Mr. WILSON, from the Committee on the Judiciary, reported back, with a recommendation that it do pass, a joint resolution to amend a joint resolution explanatory of an act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes, approved July 17, 1862.

This joint resolution amends the joint resolution of July 17, 1862, by making it read that no punishment or proceeding under it shall be so construed as to work a forfeiture of the estate of the offender except during his life, the amendment being intended to limit the operation and effect of the law only so far as to make them conformable to section three, article three, of the Constitution of the United States.

Mr. Wilson said he was directed informally to offer

Provided, That no other public warning or proclamation under the act of July 17, 1862, chapter ninety-five, section six, is or shall be required than the proclamation of the Postient, made and published by him on the 25th July, 1862; which proclamation to made shall be received and held sufficient in all cases now pending or which may hereafter ari employ sait set

Mr. PENDLETON moved that the bill and amendment e referred to the Committee of the Whole on the state

The SPEAKER decided the motion to be out of order

Mr. WILSON Mr. Speaker, the law affected by the joint resolution just reported from the Committee Judiciary is in the following language:

Judiciary is in the following language:

"Resolved by the Senate and House of Representatives, &c.,
That the provisions of the third clause of the fifth section of
'An act to suppress insurrection, to junish treason and rebellion, to seize and confiseate the property of rebels, and for
other purposes, shall be so construed as not to apply to any
set or acts done prior to the passage thereof; ror to include
any member of a State Legislature, or judge of any State
court, who has not, in accepting or entering upon his office,
taken an oath to support the constitution of the so called
Confederate States of Ame ica; nor shall any punishment or
proceedings under said act be so construed as to work a for'eiture of the real es ate of the offender beyond his natural
life."

The only part of that resolution affected by the one nov The only part of that resolution affected by the one now under consideration is the last clause, which provides that no punishment or proceeding under the confiscation act shall be so construed as to work a forfeiture of the real estate of the offender beyond his natural life. The object of the resolution which I have reported is to so smead that last clause of the resolution of July, 1862, as to make it conform to section third of article third of the Constitution of the United States. In other words it proposes to substitute for the language of other words in that resolution of 1862 the language of the Constitution, which is as follows: "The Congress at all have power to declare the putishme of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person

We do not propose by the resolution to determine the question of the legislative construction of the Constitution, whether we may provide for forfeiture of fee or configuration of the real estate during life. The pending resolution leaves the whole matter to the court. In other word, we

Mr. COX. I ask my friend from Iowa whether he intends to press the resolution to a vote now, without time for preparation or for debste?

Mr. WILSON. I propose to permit discussion to go on

during the morning hour.

Mr. COX. Does the gentleman propose to call for the previous question, so as to cut off debate on this side of the House?

Mr. WILSON. I desire to have action on the reso-Mr. COX. The gentleman cannot have action this

morning.

Mr. WASHBURNE, of Illinois. By what authority does the gentleman from Ohio make that declaration?

Mr. COX. By authority of the rules of the House, which can be made to prevent such hasty legislation as will

which can be made to prevent such hasty legislation as will strike at the very organic law of the country.

Mr. WASHBURNE, of Illinois. We will see.

Mr. KERNAN. Mr. Speaker, I desire to say that I was unable to agree with the majority of the Committee on the Judiciary as to the working of this amendment to the joint resolution explanatory of the confiscation act: and I desire to state briefly my reasons. I wish to call the attention of the House, in the first place, to the circumstances under which the confiscation act was passed, as they may not be fresh in the recollection of all.

Now, sir, the confiscation act was passed by Congress a sent to the President, and before the joint resolution new proposed to be amended was passed, the President prepared a message to veto the original confiscation act, and I beg to read from that message which the President transmitted to the House as his views in reference to the confiscation act. I read from the Congressional Globe:

"That to which I chiefly object pervades most part of the

confiscation act. I read from the Congressional Globe:

"That to which I chiefly object pervades most part of the act, but more distinctly appears in the first, second, seventh, and eighth sections. It is the sum of those provisions which resu ts in the divesting of title forever.

"For the causes of treason and ingredients of treason, ust amounting to the full crime, it declares forfei ure extending beyond the lives of the guilty parties, whereas the Constitution of the United States declares that 'no attainder shall work corruption of blood or forfeiture, except during the life of the person attainted. True, there is to be no formal attainder in this case; still I think the greater punishment cannot be constitutionally inflicted, in a different form, for the same offence.

"I may remark that the provision of the Constitution, put in language borrowed from Great Britain, applies only in this country, as I understand, to real or landed estate."

After the President, having this confiscation act under consideration, had, as he says to Congress, prepared

After the President, having this confiscation act under consideration, had, as he says to Congress, prepared this message to veto it, because it was unconstitutional, as purporting to take away, as part punishment of treason, agreater cetate in lands than a life estate, Congress passed the resolution explanatory of the confiscation act, and sent it to the President; and the language of the explanatory resolution now in question I beg leave to read again:

"Nor shall any punishment or proceeding under raid act be so con-trued as to work a forfeiture of the real estate of the offender beyond his natural life." After Congress had passed and the President had ap proved that act and the explanatory resolution he returned them to Congress, using this language in his message re-turning them with his approval:

'Considering the bill for 'An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes,' and the joint resolution explanatory of said act as being substantially one, I have approved and signed both'

So that we have from the President a statement, first, that are attempt by Congress on the the large strengths.

So that we have from the President a statement, first, that any attempt by Congress, or by the law-making power, to make as a part punishment of treason the forfeiture of a greater estate in lands than a life estate of the offender, would be unconstitutional; and secondly, that he only approved the act because he regarded the joint resolution, now proposed to be changed, a part of the act. And as the law now stands there is no doubt that the forfeiture incurred as to the real eatate of the traitor is only of his life estate. Believing, as I do, that that is as far as we can affect real estate as a part punishment of treason, I deem it wise to allow the law to stand. I agree with the President that the true construction of the Constitution is that we have not power to cut off the inheritance of innocent heirs as part punishment for treason.

But it is said by the chairman of the Judiciary Committee that he only proposes to amend by substituting the

But it is said by the chairman of the Judiciary Committee that he only proposes to amend by substituting the language of the Constitution, which I suppose is claimed to be different in construction from that now contained in mee of those now in rebellion, hastening the day of control which has been in from them by mad infatuation and the nothinking of a new supremacy outside of the old Union."

But it is said by the chairman of the Judiciary Committee that he only proposes to amend by substituting the language of the Constitution, which I suppose is claimed to be different in construction from that now contained in mit it with great earnestness, but with great defforence, whether it is wise to change the law as it stands. It has been said, it was suggested, that one law as it stands.

of the Constitution could be so construed as to forfeit the of the Constitution could be so construed as to forfeit the real eatate forever of the guilty traitor. But I submit to the House that it is at least a very doubtful question whether the language of the Constitution as he fairly so construed. The language of the Constitution is, "but no attainder of treason shall work corrupt on of blood or forfeiture except during the life of the person attainted." I agree with the President that by this language the Constitution restrains us from forfeiting the land forever. It seems to me this is entirely clear; but, if the question is a doubtful one, I submit to the gentleman whether it is ver wise to make our laws so that there may be a grave doubt whether thay are constitutional or not. It it wise

ver wise to make our laws so that there may be a grave doubt whether they are constitutional or not. Is it wise, particularly upon a subject like this, where the judgment of the court below is to be in reference to the title of real estate, to put the law in such a shape that it will be doubtful in its meaning, one judge construing it one way and another judge in another way?

Let it be remembered that the court which is first to pass upon this law, which is to condemn the property and order it to be sold—and under its judgment it must be sold—is an inferior court, constituted by a single judge. sold—is an inferior court, constituted by a single judge. If he holds, upon this equivocal question, made equivocal by Congress itself by the proposed amendment, that the fee passes, the party purchasing so believes. But there will be a right of review, and in testing that question years nence by heirs in the court above, the court may certainly hold that only a life estate can be condemned and sold

hold that only a life estate can be condemned and sold, and thereby the purchaser will be involved in the misfortune of losing what he paid. If, on the contrary, the court below should hold that only a life estate can be condemned and sold, it will sell for only a small sum. If on review there should be a judgment the other way, the purchaser makes a great speculation out of the Government by getting the whole fee, when he only bid and paid for a life estate. I submit whether it is wise for the law-making power to make an amendment for the purpose of making power to make an amendment for the purpose of making the act, now clear, doubtful.

Again—and I ask the attention of every fair man to decide this for himself—if we had the constitutional power to take away forever the estate in land, would it be wise to do so? I submit that the puni-huient for treason, like

to do so? I submit that the puni-horent for treason, like the punishment for every other crime, should fall upon the guilty party only, and that we should not seek to affect his isnocent children and heirs. Take away from the guilty party his life estate, his right to dispose of it, but do not take away the right of inheritance from the innocent heirs, who will show themselves loyat, else they never will have the right to come in court and ask to be heard.

I submit agaio, if there is a desire to press this matter through now, that this law and joint resolution are and speak as one law as they stand; that the law could not have been passed but from the fact that the joint resolution was made a part of it. The act was smended in accordance with the President's suggestion of what it ought

embarrassing questions in reference to procee ings now pending, because the rule is that if you repeal a penal law all proceedings under it, not completed before the

it with a desire as earnest as man can entertain that we should act wisely for the restoration of this Union and the upholding of this Government. I am in favor of energe tically wielding the powers of the Government to overthrow and put down organized rebellion and arm d rebels; and yet, sir, I do believe that if we love our country, if we yet, sir, I do believe that if we love our country, if we hope to see our people ever sgain living peacefully under a united Government, we should toward the masses of the people in the rebellious States hold out every inducement which the Government honorably can hold out to induce them to desert the secssion leaders, to lay down their arms, and come back to their allegiance to the Constitution and the laws; and it seems to me that one great in ducement would be that the Government had not taken away from the masses of the people the right of their children to inherit their lands, or their own right, if they lay down their arms and comply with such amnesty as the Government may deem it wise to effer, to buy back cheaply the lift-estate which they have lost. If we forfeit the lands of the masses of the people forever, if we make cheaply the lift-estate which they have lost. If we forfeit the lands of the masses of the people forever, if we make the law such that the courts hold that the lands are sold to purchasers forever, do we not put the Government in a position where they cannot hold out, not to the leading instigators and actors in the rebellion, but to the great masses of the people of the South, the inducement which I think it would be wise to bold out to them to induce them to desert those leaders and to come back to the old Government, under which we must hope at least to bring the great mass of them; because so man, I take it, desures to exterminate the great mass of that people.

Sir. let me suggest again that if we attempt to sell these

simply submit the section of the Constitution relating to the forfeiture of real estate to the courts of the country to determine whether forfeiture may be in fee or only for courts will be enabled so to construct—though I do not think they rightfully can, or that they ultimately will—you will have the rights of purchasers intervening to embarrass the Federal Government in any scheme of amnesty which they may think wise and proper to hold forth to the masses of the people of the South for the purpose of establishing proper relations between them and the Government under the Constitution; to embarrass the Government in its efforts to restore its civil authority after we have overthrown the armed rebels and brought to punish ment the leaders who have instigated and acted in this attack in the authority of the Government.

I trust for these reasons, which I have not attempted to argue, but merely to state briefly, the House will not pass this resolution, or at least they will allow us to have i printed and referred to the Committee of the Whole or the state of the Union, so that gentlemen may examine it carefully, for believe me we are all deeply interested, both for the present and for the future, in acting wisely and prudently in reference to this matter.

If it is in order, and if the chairman of the Committee

on the Judiciary will permit me, I will move or will ask him to move that the resolution be printed and post poned to some future day for consideration, or that it be referred to the Committee of the Whole on the state of the Union, where there will be no disposition to oppose or discuss it factiously, but where gentlemen will have the means of looking into the matter and of deciding whether it is wise to chauge the law, which now indicts as a part of the punishment for treasen forfeiture of esta e for life. believe that is all that we can constitutionally do, and therefore I am not in favor of amending the law as it now stands, which is clear, so as to leave it doubtful and open

o legal construction.

Mr. WILSON. I understand that there are some other members of the Committee on the Judiciary who desire to be heard upon this proposition, and I certainly have no desire to press it unreasonably upon the House. I will therefore move to recommit the joint resolution to the Committee on the Judiciary. That will admit of general discussion on the resolution. Let the discussion proceed during the present morning hour, and then let it pass over as unfinished business to be taken up in future. That will enable gentlemen to examine the resolution, and also to express such views as they may desire to present to the House. I submit the motion to recommit, and I also move that the joint resolution be printed.

A PROFITABLE CHARTER.

Correspondence of the New York Tribune. FORTRESS MONROE, JANUARY 14, 1864.

The Military Commission of which Gen. Wistar is pre sident, now in session at Norfolk, have under investigation another monstrous steamboat operation-that of the charter to Government of the little steamer Nellie Baker which was taken in February, 1862, at \$350 per day The Nellie was owned at that time by Captaina Ctas Spear and A. W. Colden and Mr. G. H. B. Long, all of Boston, who paid \$19,800 for her, and subsequently put her on the Nahant route. She was afterwards chartered to Government, at the above-named date and price, the charter running ten months, and returning to her owners \$ 106,200 The Government then bought her outright, paying \$42,000

for her—the charter money and the purchase money realizing to her owners the snug sum of \$148,000.

In addition to this large sum, the profits derived from the sale of refreshments on board the Nellie during the time she was under charter were about twenty five dol'ars per day, beside which she was supplied with coal gratis by the Gevernment.

by the G vernment.

A case of a smaller pattern, but one nearly as flagrant in the circumstances connected with it, is also under investigation. The facts are these: An old canal barge coiled the "Miss Mary," worth about eight or nine hundred dollars, was chartered in November, 1862, at twenty-five dollars per day. This barge remained under charter at this extravagant price until she had carned her owners four thousand dollars. She was nominally a "prison hulk," but the evidence shows that she was used but a small part of the time. Her owners were John Coblens and John F. Pickrell, of Baltimore, who figured so conspicuously in the Grimes Committee investigation.

street, (New York,) occup ed by Mesers. Auffmordt, Hes senberg & Co., and Fairchild & Fanshaw, took fire on

NEW JERSEY LEGISLATURE.

The Legislature of New Jersey met on Tuesday last and was organized by the election of Democratic officers that party having a very decisive majority in both Houses

The annual message of Governor PARKER, communi cated to the Legislature on Wednesday, presents a clear and comprehensive view of the affairs of the State which generally are in a flourishing condition. We extract at length so much of this able document as rela'es to

NATIONAL AFFAIRS.

Having presented the various subjects of interest connected with the administration of the State Government during the last eventful year, and made such suggestions and recommendations in reference thereto as appeared necessary, your attention is now invited to the consideration of antional delice. tion of national affairs. While proper respect for constituted authority should always be observed, the free ex tuted authority should always be observed, the free expression of opinion upon topics connected with the war should be exercised. The issues involved in the contest are too great, and the consequences of a mistaken policy too serious, to suffer us to be governed by the spirit of faction on the one hand, or influenced by blind subserviency to power on the other. It is only in the light of free discussion that the path of duty can be discovered.

The nature of our complex system of government, the rights of the States under the Constitution, the causes that induced secession, the ur justifiable character of the rebellion, the unwarrantable encroachments on the rights of citizens of loyal States under the plea of "mintary necessity," were, among other subjects, fully discussed upon my induction to office. It is not necessary to repeat the opinions then expressed. Time has not changed, but strength-

ions then expressed. Time has not changed, but strength We have now arrived at that stage in the progress of the

war when we are forced to consider questions connected with the restoration of peace. During the past year the national armies have achieved important victories. A reign recognition and the deranged condition of the finan-ces have crippled the energies of the rebel Government. The greatest suffering exists among all classes, and while large and powerful armies are still in being, and a determination to continue the war to the last extremity is manifested by those in power, there is reason to believe that general dissatisfaction and discouragement pervade the masses, and that in some localities the people are anxious to renew their allegiance to the Federal Government, if conciliatory terms be extended to them. The plan of re concinatory terms be extended to them. The plan of re-storation proposed by the National Executive in his late annual message to Congress, accompanied by the assurance that it would be abandoned if a better way could be de-vised, opens the question of pacification to the people; and

The great question to be considered is, how can we have peace and the Union in the shortest time? For, however desirable peace may be, we should be united in the determination that when it comes it should bring with it the the re-establishment of the national authority over the power of the rebellion, accompanied by an amnesty, offering to the people of the rebel States such conciliatory terms as are constitutional, just, and practicable, will somest produce peace and the Union. What terms should be extended to the people? In what way should the States resume the functions of government so long in absyance in consequence of the rebellion, and again become active members of the Federal U i on? These are the absorbing

members of the Federal Urion? These are the absorbing questions of the hour, and upon the answer depends a speedy peace or the prolongation of this terrible strife. To determine the right basis of a peace, we should ascertain the purpose for which the war was commenced, because the plan of pacification should conform to the declared object of the war. This object on the part of our Government was explicitly stated by a resolution passed unanimously by the House of Representatives soon after the commencement of hostilities, and which still stands as the authoritative declaration of the popular branch of Congress. That resolution declares that "the war is not waged for the purpose of overthrowing or interfering waged for the purpose of overchrowing or interfering with the rights and established institutions of the States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired, and that as soon as these objects are accomplished to war ought to ceare." In the published correspondence of the State Department the same idea is forcibly expressed in the title is decided, so that he may have the benefit of the terms of the radical defeats of the proferred samesty as a mode of pacification. It should have required allegiance only to the Constitution and the laws, leaving the court subsequently to decide upon their variety of the proferred samesty as a mode of pacification. It should have required allegiance only to the Constitution and the laws, leaving the court subsequently to decide upon their variety and rights of the states and the proferred samesty as a mode of pacification. It should have required allegiance only to the Constitution and the laws, leaving the court subsequently to decide upon their variety and rights of the states and upon the legality of all acts of the Administration, including the proclamations, and permitting the man who desires to renew his allegiance to retain the property, of which he is the possessor sod prima facie owner until the title is decided, so that he may have the benefit of the condition of every buman being in them will remain sub-ject to exactly the same laws and forms of administration, whether the revolution should succeed, or whether it shall fail. In the one case the States would be federally connected with the new confederacy; in the other they would be, as now, members of the United States; but their constitutions and law, customs, habits. and institutions in either case would remain the same. In repudisting indignantly any intention on the part of the Executive to disturb the domestic institutions of the States, the writer adds: "Any such effort on his part would be unconstitutional, and all his actions in that direction would

'unconstitutional, and all his actions in that direction would be prevented by the judicial authority of the United 'States, even though assented to by Congress and the 'people.'

According to the principles thus deliberately announced on behalf of the executive and legislative branches of the Government, the States were to be regarded as in the Union, and the rebellion considered as a revolt of the people. ple as individuals, and whenever they should lay down their arms and renew their allegiance to the Federal G.v. ernment, the States as bodies politic were to resume the exercise of the functions that had lain dormant in conse-

quence of the rebellion, with the same constitutions, laws, and institutions as before the war began.

An amnesty has been offered to the insurgents. Do its An amnesty has been offered to the insurgents. Do its terms and conditions accord with the declarations voluntarily made to the people of the loyal States, and published to the world? Is a restoration of the State Governments to their former position under loyal administrations invited, or indeed any provision made for such return? Does not the plan, on the contrary, ignore the existence of the States with their "constitutions and forms of administration," and provide only for the creation of of administration," and provide only for the creation of new States, with new forms of government, founded on new principles dictated in advance by the central power? Are the conditions such as are calculated to divide our enemies, and draw the hearts of the repenting people of the decaying Confederacy towards our Government, or will they not be more likely to unite them, and give their crafty leaders material to infime their hatred and impel them to renewed resistance? Under the amnesty at present extended, if the entire population of certain States should to-day lay down their arms, sue for peace, and take the oath of allegiance to the Constitution and laws of the United States, not one man of the number, loyal or disloyal, could be received and pardoned, unless he should also surrender his State Government as it existed when also surrender his State Government as it existed whet loyal before the outbreak of the rebellion, besides yielding the greater portion of his property, and virtually acknow ledging by an oath that he thought it was right so to do is the the kind of conciliation to accompany and strengther

the arm of power?

This plan is the natural fruit of the emancipation pro ciamation, and is predicated on the idea that the abo of slavery is of primary importance. It is not in accordance with the declared object of the war. The Union is the all-important object, and slavery should be a subor-

dinate question

It is acknowledged that, as a matter of civil administration, the General Government has no lawful power to effect emancipation in any State, but the right to do so is claimed on the ground of "military necessity." The line " military necessity. of argument which justifies the emancipation proclamation as a military measure, renders the Constitution inoperative in time of war, and makes all our rights subject to Executive discretion. If this be so, the framers of our Constitution were mistaken in supposing they had created

a republican torm of government.

But suppose the emancipation proclamation does not violate the Constitution still it was unwise, and not demanded as a means to aid in the successful prosecution of the war. On the contrary it is now proving the truth of the prediction that it would be an obstacle in the way of prace. If that policy had not been inaugurated there is no doubt but that in some of the States the mass of the people, before this time, would have supplanted their rulers people, before this time, would have supprinted their rulers and returned to their allegiance. It is a great mistake to assume that the emancipation policy has contributed to our military successes during the past year. Our victories are due to the skill of our officers, and the indomitable courage of our soldiers, who have achieved great triumphs in spite of a policy that united the enemy and rendered in spite of a policy that united the enemy and rendered his resistance more desperate. The vast resources of the action have also had time to develop their superiority over those of the insurgent States. How has it given us strength? Did volunteers from the loyal States hasten to fill the ranks of the army as was predicted when the proclamation issued, or was not the spirit of volunteering quenched throughout the North, and the Government compelled to resort to conscription? It is the duty of the citizen not to exercise conditional loyalty, but to respond, to the extent

of his powers, to the lawful demands of the Government for the purpose of subduing the rebellion, yet who does not believe that if the emancipation policy were abandoned, and a proclamation issued that the "sole great objects of the war were the restoration of the unity of the nation, the pre-ervation of the Constitution, and the supremacy of the laws of the country," half a million of volunteers would dy to arms and conscription be a thing of the past.

But it is said, in justification of the emancipation policy, that unless slavery be uprooted before the war ends peace will be of short duration. This is mere supposition; and from fear that another war might at some future time refrom fear that another war might at some future time re-sult we are asked to prolong the present struggle, per-baps involve ourselves in hopeless bankruptcy, and add to the countless thousands of the slaip, even if we could now have the old Union under the present Constitution. Every member of Congress who voted for the resolution express-ing the object of the war declared, in substance, that the supremacy of the Constitution could be maintained and the Union preserved without interfering with the rights or established institutions of the States. The framers of or established institutions of the States. The framers of the Federal Constitution so believed and acted upon that theory; and it was not until those great and good men had passed away that some of their degenerate sons, in the one section fired with an unboly ambition for empire, and in the other led by a blind fanaticism which would overturn constitutional rights, brought this dire calamity apon us. The events of the past three years will never be effected from the memory of the living, and history will tell its sad story of desolation and death. There is no danger of a repetition of such bitter experiences. In neither section from the memory of the living, and history will tell its sad story of desolation and death. There is no danger of a repetition of such bitter experiences. In neither section derived from the memory of the living and history will tell its sad story of desolation and death. There is no danger of a repetition of such bitter experiences. In neither section derived from the memory of the living and history will tell its sad story of desolation and death. There is no danger of a repetition of such bitter experiences. In neither section derived from the memory of the living and history will tell its sad story of desolation and death. There is no danger of a repetition of such bitter experiences. In neither section the derived from the desolation of so much life and the desolation of so much life and the desolation of so many homes we will never know. The withholding of men and the withdrawal of our armies now would be equivalent to surrender the ties which bound them to the Union, and endure so much in ness, and the Confederacy would at once beacknowledged by foreign Powers. A people who would at once beacknowledged by foreign Powers. A people who would at once beacknowledged by foreign Powers. A people who would at once that the confederacy would at once beacknowledged by foreign Powers. A people who would sunder the ties which the confederacy would at once beacknowledged by foreign Powers. A story of desclation and death. There is no danger of a repetition of such bitter experiences. In neither section will the people again listen to the counsels of such as led them into these troubles. There would be greater danger of the renewal of hostilities should peace be made by striking the old States from existence and creating new ones under the pledge of the Federal Government, even after the war had ended, to sustain a small minority of the inhabitable in bolding, the majority in subjection. To do this an immense standing army would be required. Such action, in direct conflict with the Constitution, would inaugurate many complicated and exciting questions in reference to representation in Congress and the electoral college, in which the people of the populous loyal States would be deeply interested.

But the question may be asked, how does the present annesty delay and hinder the repentant rebel from accepting its terms, if he sincerely desires to renew his allegiance, when the oath he is required to take binds him to abide by and faithfully support all proclamations having

practically destroy the very property the title of which it is proposed to submit to the opinion of the courts. It would be better to deny entirely the privilege of judicial investigation than to offer it in such a manner as to present the shadow of justice without the substance. The question is not whether the masses in the rebellious States are entitled to any terms of pardon, for that has already been dec ded by offering terms, on the ground that a majority of the people had been deluded by ambitious leaders; but whether the terms offered to those who will as possible, by dividing Southern sentiment and arraying the people against those in power. Take the case of tear of violence, passively to submit to Confederate rule, (and there are doubtless many such cases,) and now that the Federal bayonets have driven the enemy from his neighborhood he desires to avail himself of the amnesty, would he be encouraged in loyalty by being informed that he cannot take the prescribed oath without surrendering, as a condition precedent, the title to all his slaves, constituting package the whole of his property but that in tuting perhaps the whole of his property, but that is years to come, if the Supreme Court should declare th proclamations in reference to slaves void, he can have his property if he can find it. Indeed it is doubtful if the man who observes the oath could bring his claim of property before the court, because he would not be an porting the proclamations in attempting to have them declared void proclamations in attempting to have them declared void
Just here is one of the radical defects of the proffered
amnesty as a m-de of pacification. It should have required allegiance only to the Constitution and the laws,
leaving the court subsequently to decide upon their vaidity and upon the legality of all acts of the Administration, including the proclamations, and permitting the man
who desires to renew his allegiance to retain the property,
of which he is the possessor and norms facing contents. on if it be in his favor.

But suppose there were no constitutional objections t overturning the established institutions of the States, and and that the rebels had no rights, and deserved no cousideration whatever in the sett ement of these difficulties and that the people of the North and the servile race a he South were the only parties interested, the question whether either we or they would be benefited by the sudden emancipation of three millions of dependent beings, ignorant, indolent, and not self-supporting, claims serious reflection. To effect emancipation, the war, with its im mense attendant expenses, must undenbtedly be protract ed, and if finally effected, the burden of sustaining and pro

ed, and if finally effected, the burden of sustaining and providing for those liberated will of necessity devolve on the Government and people of the North.

It is the part of wisdom sometimes to pause and take a calm view of our financial condition. According to the most favorable statement, if the war should end now, it is probable that the expenses incident to its close would swell the national debt to over two thousand millions of dollars. Add the State, county, city, and township debtwhich are constantly accumulating, and you will find that which are constantly accumulating, and you will find the our indebtedness exceeds the almost fabulous debt of Gree Britain, if the difference in the wealth and rate of interest of the two nations be considered. The annual interest of our debt is more than the expenses of the Government before the war. We do not yet fully realize our rest condition, because we are in the whirl of excitement, and have only begun to feel the weight of taxation. I do not take this view to direcurage, but I think it right to state these facts about which there is no secret, in reference to a subject in which we are all deeply interested, in solemn warning. A faithful pilot will not close his eyes in seeurity when the ship is in peril, but will use every effort in time to e-cape the danger. Let each one inquire for himtime to e-cape the danger. Let each one inquire for him self how much debt, in proportion to its wealth, a nation

can carry in safety.

If the war he brought to a close within a reasonable time and a united country be the result, this great nation, with its immense resources, will spring into new life, and under the blessed reign of peace will ultimately shake off under the blessed reign of peace will ultimately shake off its burdens. We should be prepared to make still greater sacrifices than any that have gone before, if necessary to save the Union; but the considerations to which I have adverted admonish us not to prolong the war a moment longer than is necessary to effect its legitimate object. Let us be careful lest in seeking to attain a fancied benefit for others we do not destroy ourselves. I say fancied benefit, tries where large slave populations have been suddenly emancipated. What is the history we are now making? The fortunes of war, in the advance of our armies, have brought within our lines large numbers of slaves, and their deplorable condition is portrayed by trustworthy eye-wit-nesses, who are appealing to our sympathy to aid the un-fortunate sufferers. We are told that thousands upon thousands are scattered along the banks of the Mississippi, collected in campa, almost naked, suffering from sickness and exposure, and dying in starting numbers. It is stated that during the last winter, out of four thousand collected in a single city twelve hundred died. It is the duty of all Christian and humane people to contribute even from scanty means for their relief. But the very grave quesscatty means for their rule. But the very grave ques-tion presents itself, if such be the suffering and such the claims upon our charity when there are only an hundred thousand to care for, what would be the condition of things should three millions of these poor, dependent, land-less and homeless beings be set free?

less and homeless beings be set free?

The present position of affairs is environed with difficulties, and nearly all of them proceed from interpolating
the emancipation policy on the conduct of the war. In
view of the facts to which reference has been made should view of the faces to which reference has been made should not that policy be abandoned? Would it not be better for ourselves and the slaves to abandon a measure which was adopted with great hesitancy and doubt, both as to its policy and validity, and which has raised even greater obstacles to pacification than was predicted? Experience proves the opinion heretofore expressed that if in the providence of God emancipation is to come it will come so as to be the greatest blessing to both races; and that to benefit even those in servitude it should come by the action of the people among whom the relation exists, pracefully and gradually, and not by the instrumentality of the sword.

of his powers, to the lawful demands of the Government for the purpose of subduing the rebellion, yet who does not helieve that if the emancipation policy were abandoned, abolishment. There are those, however, who are not satisfied with this, and in-sist upon eradicating the last vestige of the institution wherever they find it, no matter what constitutional rights interpose, or how many fields are deluged with blood.

Some believe that war will destroy all hope of union.

They maintain that it is best for the interests of the whole country that our armies should be withdrawn, that the flow of blood should be permitted to cease before both sections become entirely exhausted; that with the withdrawal of our armies reason would resume its sway, and the South, if permitted to depart in peace, would at some future time voluntarily return to the Union. The policy they recommend, however sincerely entertained, would certainly result in perpetual disunion, and we would emerge from the present war only to be involved in other conflicts not less bloody, which would inevitably flow from separation. The dering the Union forever. The way to peace which they propose would not only lead to continual war, but to the overthrow of our system of Government. The right of recession once acknowledged, the remaining States would soon be sub-tivided into petty provinces, and involved in endless was for would be sub-tivided into petty provinces, and involved in endle's warfare would soon become the prey of aome ambitious conqueror. It is the duty of the State authorities to furnish the men necessary to destroy the armed power of the rebellion, and it is equally the duty of the General Government to accompany the exercise of the power en-trusted to it with proper terms of conclusion.

Others allege that men of controlling influence insist that the old Union under the present Constitution shall never be restored; that there shall be no Union unless slavery be first abolished; that arbitrary power in direct antagonism with constitutional rights has been employed in the loyal States; that military rule and unauthorized fed or declared void by the decision of the Supreme Court? Is not a proposition reasonable which offers to submit the title of property to the courts? The an-wer is, that such a proposition might be reasonable, (for all the questions growing out of the rebellion must be finally settled by judicial decision,) provided a compliance with the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the annexed oath did not in advance the conditions of the research of the conditions of the conditions of the research of the conditions of exi tence, whether temporarily administered to our liking or not. The Government is designed to be perpetual, while administrations are transient. We must ub use the rebellion and save the country in spite of all difficulties. That which interferes with the speedy restoration of the Union under the Constitution, whether it proceeds from the enemy or exists among ourselves, must be overcome. Every obstacle in the way, whether it be the reb-l armies or the fatal p key of those in power, should be swept from existence by the people; in the one case by the use of military force, and in the other by the untrammelled exercise of the elective franchise. However strong our armies may become, success will be delayed unless we have the right civil policy. In fact, with ut the right civil policy us a Union worthy of the

> tion. In every emergency she has proved true to her Revolutionary tame. In every war in which the country has been eng-ged New Jersey has contributed freely of her treasure and her sons. Her people are patriotic, conservative, and eminently national. They have always been willing to stand by the contract as our fathers made it. willing to stand by the contract as our lathers made it.
>
> They have always observed the constitutional rights of
> other States and the nation. They love the Union and
> will labor for its preservation as the first great object to
> be accomplished. They will hall the day when those in
> rebeltion shall lay down their arms and return beneath
> the folds of our national banner. While they will promptly meet every constitutional demand of the General Govcroment and contribute to the extent of their means to erument and contribute to the extent of their means to overshrow armed rebellion, yet they will con inue to protest against every innovation of their rights or the rights of the states, and against any policy which to them seems de structive to the Constitution, and unnecessarily postp n a the triumph of our arms and the restoration of p ace upon just terms, on the basis of the Union of sovereign and equal States.

In the midst of sore affliction, our hearts should swell with gratitude to the Au bor of every good and perfect gift for the many blessings He has vouchea'ed to us during the year that has past. He has protected our S ate from the invaler, and preserved peace within our borders. He has rewarded industry, and crowned with plenty the labors of the husbandman. May He give us all wisdom to d seem the right, and hearts to do our duty when disceened; and in this infinite mercy may He look with compassion upon our bleeding and distracted country, and again give us peace, union, and prosperity.

JOEL PARKER.

A MISSION TO RICHMOND.

Mr. H. M. Warfield, a merchant of Baltimore, has gone Rehmond to endeavor to effect the . xchange of Mej r White, a Republican Senator of Pennsylvania, for Gen. Trimble, of the rebel army. The Baltimore American says that Mr. Warfield has not undertaken this mission by authority of the War Department, as has been stated, and explains the matter as follows:

"Our readers already know that Major Wh te, a m-mber slect of the Pennsylvania Senate, is a prisoner at Rich-mond, and that his absence has given the Dem crats the power to prevent the resular organization of the Senate, and embarrass the proce-dings of the Legislature. It has therefore become an object of importance to secure the release of Major White, and some time ago measures towards this result were initiated. They resulted in an understanding, said to have been sanctioned by J. fie son Davis himself, that Major White would be exchanged 'or Major Jones, a rebel prisoner in our hands. Major Jones was accordingly sent to City Point, but new difficulties were there created Mr. Ould, the rebel communicationer, had not been informed of the agreement, and the rebel Major returned to Fortress Monroe.

Representations were then made to the War Depart-

Representations were then made to the War Department by Major Jones that if he were permitted to go to Richmond on his parole he could procure the release of Major White Mr Stanton consented, and Major Jones was passed through our lines, on the express condition that he was to procure the release of Major White, or himself return. He did neither. Another Pennsylvania Major was sent in exchange by the rebels, and Major Jones remained South, thus violating the express terms of his parole, which specified that he was to be exchanged or Maj r White. Mr. Stanton, disgusted with this dis-bonorable piece of trickery on the part of the rebels, re-fused to have any thing more to do with the matter. "Since the meeting of the Legislature Governor Cur-

President in reference to the matter. They represented that if permission was given to them to send a person to Richmond, and the Government would consent to give up Gen. I. R. Trimble, or any other Brigadier General in our hands, for Major White, that they would be able to secure the exchange of the latter. The President, after consideration, and in view of the urgent solicitations made, gave his consent to both these propositions.

"The selection of Mr. Warfield was made by a relative of Major White, who thought that his known disloyalty here would give him influence at Richmond. Mr. Warfield was approached on the subject, and consented to accept the mission. The Government carried out its part of the agreement, and he is now in Richmond endeavoring to secure the exchange of Major White for Brig. Gen. Trimsecure the exchange of Major White for Brig. Gen. Trim-ble. The rebel authorities have for some time been anx-ious to secure the release of Trimble, probably because, besides being a prisoner of war, he is also under indict-ment for treason in the United States District Court of this

"We have our doubts whether it was wise to send Mr. Warfield to Richmond, but it is right that the real facts in the matter should be known and the affair brought down to its proper level."

It is not from sympathy for slavery, as is sometimes charged, that the introduction of the emancipation policy is deprecated, but because it violates the Constitution and adds vastly to the difficulties which stand in the way of peace and union. Slavery was introduced by our fore-lithers, and incorporated in the institutions of both sections. Upon the establishment of our national independence and the formation of the Federal Government it was recognised as a State institution, and left by the framers